

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

*

UNITED STATES OF AMERICA

*

v.

Criminal No. WDQ(S)-02-0143

*

TROY TURNAGE

...ooOoo...

GOVERNMENT'S RESPONSE TO MOTION FOR REDUCTION
OF SENTENCE UNDER 18 U.S.C. § 3582(c)

The United States of America, by its undersigned counsel, having reviewed the Presentence Report, the Judgment & Commitment Order, the revised guidelines computation and a Bureau of Prisons SENTRY report for the defendant named above, **does not oppose** retroactive application of the revised "crack" guideline pursuant to 18 U.S.C. § 3582(c). However, this defendant is serving a statutory penalty of not less than 120 months. In Mr. Turnage's case, the United States does not oppose a reduction from 135 months to **120 months**.

The United States notes that even if a defendant is eligible for a sentence reduction, whether or not to grant the reduction is a matter committed to the Court's discretion, not an automatic entitlement. The United States **does oppose** any reduction in the term of supervised release or any other term of the sentence.

Respectfully submitted,

Rod J. Rosenstein
United States Attorney

By: Barbara S. Sale

Barbara S. Sale
Assistant United States Attorney
Chief, Criminal Division
Bar No. 00307
36 South Charles Street
Baltimore, Maryland 21201
(410) 209-4902

Certificate of Service

2nd DL

I HEREBY CERTIFY that this 1st day of July 2008, a copy of the Foregoing Government's Response to Motion for Reduction Of Sentence under 18 U.S.C. § 3582(c) was hand delivered via interoffice mail to:

Denise C. Barrett, Esq.
The Office of the Federal Public Defender
for the District of Maryland
Tower II, Suite 1100
100 S. Charles St.
Baltimore, MD 21201

and

Estelle Santana
Deputy Chief United States Probation Officer
United States Probation and Pretrial Services
250 W. Pratt Street
Suite 400
Baltimore, MD 21201


Debra C. Lesser
Paralegal Specialist